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ENGROSSED HOUSE BILL 2008

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State of Washington

66th Legislature

2019 Regular Session

By Representatives Hudgins, Gregerson, and Tarleton

Read first time 02/11/19. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to alternate methods of ballot security; and  
2 amending RCW 29A.40.091.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29A.40.091 and 2019 c 161 s 3 are each amended to  
5 read as follows:

6 (1) The county auditor shall send each voter a ballot, a security  
7 envelope in which to conceal the ballot after voting, a larger  
8 envelope in which to return the security envelope, a declaration that  
9 the voter must sign, and instructions on how to obtain information  
10 about the election, how to mark the ballot, and how to return the  
11 ballot to the county auditor. Instead of sending separate return and  
12 security envelopes, a county auditor may send the voter a return  
13 envelope that fully shields the voter's ballot from view after the  
14 voter's identifying information is removed.

15 (2) The voter must swear under penalty of perjury that he or she  
16 meets the qualifications to vote, and has not voted in any other  
17 jurisdiction at this election. The declaration must clearly inform  
18 the voter that it is illegal to vote if he or she is not a United  
19 States citizen; it is illegal to vote if he or she has been convicted  
20 of a felony and has not had his or her voting rights restored; and it  
21 is illegal to cast a ballot or sign a ballot declaration on behalf of

1 another voter. The ballot materials must provide space for the voter  
2 to sign the declaration, indicate the date on which the ballot was  
3 voted, and include a telephone number.

4 (3) For overseas and service voters, the signed declaration  
5 constitutes the equivalent of a voter registration. Return envelopes  
6 for overseas and service voters must enable the ballot to be returned  
7 postage free if mailed through the United States postal service,  
8 United States armed forces postal service, or the postal service of a  
9 United States foreign embassy under 39 U.S.C. 3406.

10 (4) The voter must be instructed to either return the ballot to  
11 the county auditor no later than 8:00 p.m. the day of the election or  
12 primary, or mail the ballot to the county auditor with a postmark no  
13 later than the day of the election or primary. Return envelopes for  
14 all election ballots must include prepaid postage. Service and  
15 overseas voters must be provided with instructions and a privacy  
16 sheet for returning the ballot and signed declaration by fax or  
17 email. A voted ballot and signed declaration returned by fax or email  
18 must be received by 8:00 p.m. on the day of the election or primary.

19 (5) The county auditor's name may not appear on (~~the security~~  
20 ~~envelope, the return~~) any envelope(~~(r)~~) or on any voting  
21 instructions or materials included with the ballot if he or she is a  
22 candidate for office during the same year.

23 (6) For purposes of this section, "prepaid postage" means any  
24 method of return postage paid by the county or state.

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